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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number 09/430,029

Filing Date October 29, 1999

First Named Inventor TETSUYA YANO, et al.

Group Art Unit 1652

Examiner Name E. Slobodyansky

Attorney Docket Number 03500.013982

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other Amendment Transmittal

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2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i. RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other Check in the amount of \$110.00 is enclosed

b. Check in the amount of \$ 750.00 is enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael K. O'Neill	Registration No. (Attorney/Agent)	32,622
Signature	<i>Michael K. O'Neill</i>	Date	<i>Aug 8, 2003</i>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on Aug 8, 2003.

Name (Print/Type) Michael K. O'Neill (Reg. No. 32,622)

Signature *Michael K. O'Neill* Date *Aug 8, 2003*

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03500.013982

PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TETSUYA YANO, et al.) : Examiner: E. Slobodyansky
Application No.: 09/430,029) : Group Art Unit: 1652
Filed: October 29, 1999) :
For: DNA FRAGMENT CARRYING)
TOLUENE MONOOXYGENASE :
GENE, RECOMBINANT PLASMID,)
TRANSFORMED MICROORGANISM, :
METHOD FOR DEGRADING)
CHLORINATED ALIPHATIC :
HYDROCARBON COMPOUNDS)
AND AROMATIC COMPOUNDS, AND :
METHOD FOR ENVIRONMENTAL)
REMEDIATION) :
: August 8, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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August 8, 2003
(Date of Deposit)

Michael K. O'Neill (Reg. No. 32,622)
(Name of Attorney for Applicant)

Signature August 8, 2005
Date of Signature

PRELIMINARY AMENDMENT

Sir:

Prior to further examination of the above-identified application for which a Request For Continued Examination has been filed, please amend the application as follows: